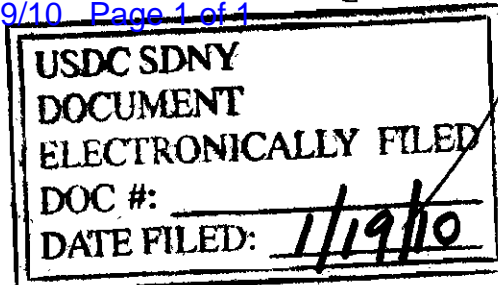


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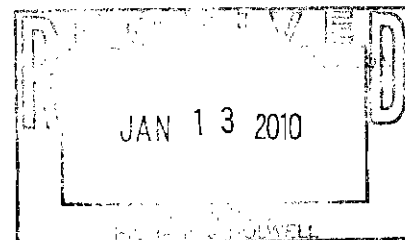
Facsimile: (212) 344-7677

January 13, 2010

VIA ECF AND TELECOPIER (212) 805-7948

Hon. Richard J. Holwell  
United States District Judge  
for the Southern District of New York  
U.S. Courthouse  
500 Pearl Street  
New York, New York 10007

Re: **Patricia Cohen v.**  
**Steven A. Cohen, et al.**  
**09 CV 10230 (RJH)**



Dear Judge Holwell:

Although a notice pursuant to Rule 41(a) was filed yesterday voluntarily discontinuing this action without prejudice, I write to request the adjournment of the January 19, 2010 date as the return date of my motion for leave to withdraw as counsel.

I selected that date as the control date for the motion and, to the best of my knowledge, the motion is not on the Court's calendar for that date.

As it turns out, I am scheduled to appear in the Eastern District at the Courthouse in Islip on January 19, 2010 for a pre-trial conference in three related cases before Judge Platt and Judge Spatt.

I understand that the Court has issued an order setting a pre-trial conference for March 19, 2010. I learned this from my receipt at 7 p.m. yesterday of a copy of a January 11, 2010 letter from KLS-Kachroo Legal Services, P.C. That letter has apparently not been filed electronically since Ms. Kachroo and her firm still have not appeared in the action. A copy of the Kachroo letter is enclosed for the convenience of the Court.

Although the effect of the Notice filed yesterday was to dismiss the action voluntarily and without prejudice, I note that the letter in essence adopts in full the factual allegations and the legal basis of the complaint I prepared.

*Application granted.*  
*No conference will be held on 1/19/10. The*  
*initial conference will be held on 3/19/10*  
*at 10:30 am*

PB/wg  
Encl.

Respectfully submitted  
Paul Batista

cc: Martin Klotz, Esq. (via ECF)  
Gaytri Kachroo, Esq.

*SO ORDERED*  
*VSOT 1/15/10*